**FARAD CONTINUATION SHEET NO.**
**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**
**CIVIL APPELLATE SIDE.**

**WRIT PETITION NO. 2260 OF 2006**

| Office Notes, Office Memorada orders or directions and Registrar‘s orders. | Court‘s or Judge‘s Orders. |
|---|---|

Shri R.K.Mendadkar with
H.K.Mandlik for the petitioner.
Shri R.D.Rane GP for Respdt.

**CORAM; V.G.PALSHIKAR &**
**V.R.KINGAONKAR, JJ.**

**DTAED: 25TH APRIL,2006.**

P.C.

1. By this petition, the petitioner has chalelnged the order dated 27-2-2006 passed by the Committee for Scrutiny & Verification of Tribe claims, Nashik. The challenge is that the order suffers from non application of mind, no appreciation of evidence available before the tribunal and therefore the impugned order is liable to be directed to consider afresh in light of the documents existing on record.

2. We have perused the impugned order. It is a well reasoned order, where each document pertaining to the petitioner is mentioned and examined. Vigilence Committee report is also on record, which finds mention in the order of the committee. The Committee observed that the Vigilance Cell has obtained the school records pertaining to his father Daulatro Balaram Bundel wherein the caste as mentioned "Telgu". A perusal of the Vigilance Committee reports confirms this aspect. It cannot therefore be said that the evidence on record was not properly appreciated. The committee has taken note of this fact that the entries of the close relatives of the petitioner are not dislosed that the petitioner belongs to Mannewar community.

3. The jurisdiction of this

court under Article 226 of the Constitution, to interfere with the order of independent committees or tribunals is limited. This court can interfere only where there is gross miscarriage of justice because of none application of mind or non consideration of valid evidence available on record, or for total absence of any evidence to support the findings reached by the committee. None of the grounds are present in this case. The committee has given reasons for accepting certain evidence. It is not therefore a case of total lack of evidence. Appreciation is reasoned and the submissions find fault with the appreciation of evidence and not with the existence of that evidence. In such circumstances, it is not permissible in law to interfere with such orders. Hence petition rejected.